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M E M O R A N D U M :

TO: Henry Haven, Geologist
NNEPA/ Leaking UST Program

FROM: Pam Maples, Environmental Specialist
NNEPA/ Leaking UST Program 

DATE: November 17, 2011

SUBJECT: NAV046 Bond and Bond Technical Memorandum - Final dated June 29, 2011 from Bristol Environmental

Mr. Henry Silentman from Shiprock RBDO called and would like to know if the old Bond and Bond business lease site NAV046 is suitable for redevelopment. He has a prospective tenant who wants to open a rent-to-own company in the old building. This prospective tenant has no intentions of operating a storage tank facility.

I am going to advise Mr. Silentman that there has been no vapor intrusion study conducted and without the results of that study we can not say that the building is safe to occupy and here is why:

To acquaint myself with what is going on there I just finished reading the June 2011 Technical Memorandum – Final from Bristol concerning Bond and Bond in Shiprock. Frankly I am stunned and appalled that the conclusions drawn in this report indicate that: *"Based on the site characterization data and groundwater monitoring data, it is recommended that a human health risk assessment be performed to evaluate the need for further remedial action at the site."*

This site has NAPL that has just shown up in a second well, has heavily contaminated groundwater with a plume moving towards the river and the recommendation in the Technical Memorandum is to check if there is any risk.

Risk Based Assessment Approach does not consider the traditional and cultural values of the Navajo Fundamental Law and Traditional Cultural Values of the Navajo People. On one hand I hear the USEPA saying they support us in not applying RBCA to Navajo and on the other hand here is their contractor giving this advice to them.

Even besides the fact of our declarations that groundwater is a receptor and our insistence that we will not accept RBCA on Navajo, all that aside, here is free product floating on groundwater and moving towards the river and the advice is that USEPA should study the problem further and decide if there is a need for further remedial action at this site. If this

is typical of the methodology and extent to which groundwater is cleaned up by the USEPA in this country then we all have new reasons to think twice about drinking, cooking with or bathing in groundwater anywhere in America.

In figure 7, why are the values from monitoring wells 15 and 10 estimations only and why were they excluded from the plot of the plume? Likewise, for monitoring wells 7, 8, and 14, in figure 6.

If you have any questions, please contact me at (928)871-7764.

CC: C. Warren, USEPA
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